

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOOP AI LABS INC,
Plaintiff,

v.

ANNA GATTI, et al.,
Defendants.

Case No. [15-cv-00798-HSG](#) (DMR)

**ORDER RE JANUARY 15, 2016
DISCOVERY SUBMISSIONS**

Re: Dkt. No. 383, 384, 385, 386

The court has received Defendant Almawave USA's request for clarification (Docket No. 383) and Plaintiff Loop AI Labs Inc.'s response thereto (Docket No. 384). The court has also received Plaintiff's notice and application to be excused from this week's mandatory meet and confer and Defendant Anna Gatti's objection thereto. [Docket Nos. 385, 386.]

At the December 10, 2015 hearing, the parties set forth on the record their agreement that the depositions of Valeria Sandei and Raniero Romagnoli would take place on January 21, 2016 and January 22, 2016 in San Francisco. [Docket No. 335 (Dec. 10, 2015 Hr'g Tr. at 116).] The court's December 10, 2015 minute order erroneously stated that these two depositions would take place on January 22, 2016 and January 23, 2016, which was a typo. [Docket No. 323.] Plaintiff apparently capitalized on the typo and noticed the depositions for Sandei and Romagnoli for January 22, 2016 and January 23, 2016. In accordance with counsel's agreement as stated on the record, Romagnoli's deposition must be completed by January 22, 2016. No depositions shall be scheduled for January 23, 2016, absent agreement by counsel (due to the court's typo).

Marco Tripi's deposition, which Plaintiff noticed for January 19, 2016, is VACATED. At the December 10, 2015 hearing, Plaintiff's counsel conceded that Tripi's testimony may not be relevant to jurisdictional issues. Hr'g Tr. at 35-36. To the extent Plaintiff sought to depose Tripi, the court ordered the parties to meet and confer and to submit a joint letter addressing whether

Tripi is an apex witness. *Id.* at 35, 50. No such letter was filed. If Plaintiff now seeks to depose Tripi as part of jurisdictional discovery, it must meet and confer with the Almarave Defendants and submit a joint letter in accordance with the court's Standing Order.

As to Plaintiff's notice regarding this week's meet and confer and Gatti's objection thereto, the court notes that the subject of Plaintiff taking Gatti's deposition as part of jurisdictional discovery was discussed at the December 10, 2015 discovery hearing. Hr'g Tr. at 30. The jurisdictional discovery ordered by the court on December 10, 2015 must be completed. Since the court has vacated Tripi's January 19, 2016 deposition, **Gatti must appear for deposition on January 19, 2016.**

Finally, it appears that counsel for Gatti only seeks to meet and confer about the timing and fact of Gatti's deposition, and the court has resolved that issue. Therefore, given the press of depositions scheduled to take place every day next week, the parties are excused from meeting and conferring today and from the regularly-scheduled meet and confer next Friday, January 22, 2016. The court expects the parties to meet and confer as needed if issues arise during the depositions.

IT IS SO ORDERED.

Dated: January 15, 2016

